

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RODNEY D. ZEUNE,

Petitioner,

v.

WARDEN, FRANKLIN MEDICAL
CENTER,

Respondent.

CASE NO. 2:14-CV-1459

JUDGE ALGENON L. MARBLEY
MAGISTRATE JUDGE KEMP

OPINION AND ORDER

On February 27, 2015, the Magistrate Judge issued a *Report and Recommendation* recommending that Petitioner's motion to amend the petition to delete ground three of his habeas corpus petition (ECF 9) be **GRANTED**, that Respondent's motion to dismiss (ECF 8) be **DENIED**, and that Respondent be directed to file a return of writ addressing habeas corpus grounds one and two within twenty-one days. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Petitioner's motion to amend the petition to delete ground three of the habeas corpus petition (ECF 9) is **GRANTED**. Respondent's motion to dismiss (ECF 8) is **DENIED**.

Respondent is **DIRECTED** to file a response to habeas corpus grounds one and two within twenty-one (21) days.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge